IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

Bail Appl..No. 1251 of 2007(R)

AGAINST THE ORDER IN BA.870/2007
CRIME NO.314/2006 OF PAYANGADI POLICE STATION

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: PETITIONERS/ACCUSED:

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1. RASHEED. M., S/O.KASIM,
   AGED 22 YEARS, MANDEN HOUSE,
   P.O.MATTOOL SOUTH, MATTOOL AMSOM DESOM,
   KANNUR.

2. NOUFAL. B., S/O.ABDURAHIMAN,
   AGED 23 YEARS, BEEMAN HOUSE,
   P.O. MATTOOL SOUTH, MATTOOL AMSOM, DESOM,
   KANNUR.

3. NOUSHAD. K.V., S/O.HAMZA,
   AGED 29 YEARS, KOMBANTE VALAPPIL,
   MATTOOL SOUTH, MATTOOL AMSOM, DESOM,
   KANNUR.

4. ASHIQUE V.K., S/O.MOIDU,
   AGED 20 YEARS, VATTAKANDY HOUSE,
   MATTOOL SHOUTH, MATTOOL AMSOM, DESOM,
   KANNUR.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, THROUGH THE
SUB INSPECTOR OF POLICE, PAYANGADI POLICE
STATION, REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1251 OF 2007 B

Dated this the 2nd day of March, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are accused Nos.3, 9, 10 and 7 respectively in Crime No.314/2006 of Payangadi Police Station for offences punishable under Secs.143, 147, 148, 341, 323, 324 and 307 read with section 149 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. In as much as the second accused was directed to surrender before the Investigating Officer for interrogation and then to be released by the Magistrate concerned, I see no reason why the petitioners should be treated differently. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 7.3.2007 and 9.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall, thereafter, be produced on the same day before the Magistrate concerned, who shall release the petitioners on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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